RECEIVED CENTRAL FAX CENTER

OCT 12 2005

PTO/SB/87 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid QMB control number.

Application Number: 09/895,869

Filing Date: June 28, 2001

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on 10/12/2005

Pam M. Preliwitz

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- 1. Certificate of Transmission
- 2. Fee Transmittal
- 3. Response to Office Action Dated August 11, 2005 (24 pages)

Total pages: 26

Fax No. 571-273-8300 MS1-906US

> Please notify us immediately (206-315-4001) if there is a problem with the quality of this fax.

Burdon Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Approved for use through 07/31/2006, OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Panagovick Reduction Act of 1995, no general series required to respond to a collection of Information unless it displays a valid OMR control number Effective on 12/08/2004. Complete if Known Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818) IVEU Application Number 09/895.869 CENTRAL FAX CENTER 6/28/2001 Filing Date For FY 2005 Matthijs A. Gates First Named Inventor 2003 JAMIE J VENT **Examiner Name** Applicant claims small entity status. See 37 CFR 1.27 Art Unit 2616 TOTAL AMOUNT OF PAYMENT (\$) 0.00MS1 - 906US Attorney Docket No. METHOD OF PAYMENT (check all that apply) Credit Card Money Order None Other (please identify): Lee & Hayes, PLLC 12-0769 Deposit Account Deposit Account Number, Deposit Account Name: For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments under 37 CFR 1.18 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form, Provide credit card information and authorization on PTO-2038. **FEE CALCULATION** 1. BASIC FILING, SEARCH, AND EXAMINATION FEES **FILING FEES SEARCH FEES EXAMINATION FEES Small Entity** Small Entity Small Entity Fee (\$) Fees Paid (\$) Fee (\$) Fee (\$) Application Type Fee (\$) Fee (\$) Fee (\$) Utility 300 500 200 150 250 100 Design 200 100 100 50 130 65 Plant 200 160 100 300 ደብ 150 300 600 Reissue 150 500 250 300 **Provisional** 200 100 0 2. EXCESS CLAIM FEES Small Entity Fee (\$) Fee Description Fee (\$) 50 25 Bach claim over 20 or, for Reissues, each claim over 20 and more than in the original patent Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent 200 100 Multiple dependent claims 360 180 Multiple Dependent Claims Total Claims 47 Extra Claims Fee (\$) Fee Paid (\$) _ 20 or **pe** = 0 50 Fee Paid (\$) Fee (\$) HP = highest number of total claims paid for, if greater than 20 118 5 -3 or 104€ = Fee Pald (\$) Indep. Claims Extra Claims <u>Fee (\$)</u> 0.00 HP = highest number of independent claims paid for, if greater than 3 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(a). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) / 5D = _ (round up to a whole number) x 4. OTHER FEE(S) Fees Paid (\$) Non-English Specification, \$130 fce (no small entity discount) Other:

SUBMITTED BY				
Signature			Registration No. (Attorney/Agent) 46175	Telephone (206) 315-4001
Name (Print/Type)	Tim R. Wyckoff	7		Date 10-12-2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gethering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

2

3

5

б

7

8

9

10

11

12

13

14

15

16

17

18

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE OCT 1 2 2005

RESPONSE TO OFFICE ACTION DATED AUGUST 11, 2005

To: Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

From: Tim R. Wyckoff (Tel. 206.315.4001 x110; Fax 206.315.4004)

Customer No. 22801 Lee & Hayes PLLC

421 W Riverside Avenue, Suite 500

Spokane, WA 99201

19

20 21

22 23

24

25

LEE & FLAYES, PLLC
RESPONSE TO OFFICE ACTION DATED AUGUST 11, 2005

1

ATTORNEY DOCKET NO M\$1-0906U5

3

9

11

10

12 13

14

15

16 17

18

19

20 21

22

23 24

25

LEE & HAYES, PLLC

INTRODUCTORY COMMENTS

This communication is responsive to the Office Action dated August 11, 2005, for which a three-month shortened statutory period for response is set for November 11, 2005. Please amend the above-captioned application as follows:

Amendments to the Claims begin on page 3 of this document.

Remarks begin on page 14 of this document.